

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSE O. FLAMENCO,

Plaintiff,

vs.

BANK OF AMERICA, N.A.,

Defendant.

Case No.: 12-00596-YGR

**ORDER TO SHOW CAUSE REGARDING WHY
PLAINTIFF'S ACTION SHOULD NOT BE
DISMISSED**

TO ALL PARTIES AND COUNSEL OF RECORD:

On February 17, 2012, Defendant filed a Motion to Dismiss in this action. (Dkt. No. 4.) Plaintiff's opposition was due on March 2, 2012. To date, no opposition has been filed. Further, on March 9, 2012, Defendant filed a Notice of No Opposition to Motion to Dismiss Brought by Defendant Bank of America, N.A. (Dkt. No. 9.) Approximately three weeks has passed since Defendant filed that Notice, and there has still been no response from Plaintiff or his counsel.

Plaintiff Jose O. Flamenco is HEREBY ORDERED TO SHOW CAUSE why this action should not be dismissed for failure to prosecute. A hearing regarding why the Court should not dismiss this action shall be held on Friday, April 13, 2012 on the Court's 9:01a.m. calendar, in the Federal Courthouse, 1301 Clay Street, Oakland, California, in a courtroom to be designated.

Plaintiff must file a written response to this Order to Show Cause, if he contests it, and must personally appear on April 13, 2012. Personal appearance of Plaintiff is required. Defendant may appear by telephone and should contact the Courtroom Deputy, Frances Stone, to make arrangements.

1 Plaintiff's failure to file a written response or to appear personally will be deemed an admission that
2 no good cause exists to continue prosecuting this action and the case will thereafter be dismissed.

3 **IT IS SO ORDERED.**

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5 Dated: March 29, 2012

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8 YVONNE GONZALEZ ROGERS
9 UNITED STATES DISTRICT COURT JUDGE
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